

Message from State Controller

Kathleen Connell

In this edition of the Controller's Quarterly, we focus on public safety in California. Crime reduction, crime prevention and effective law enforcement are critical to public safety and security and the overall quality of life for Californians. Ensuring a safe living and working environment is also important to the continued economic growth of California as the economy depends on safe and productive workers. However, California faces a shortage of public safety officers. The task of recruitment is extremely challenging as a booming economy and low unemployment steers the labor force into highly competitive and readily available private-sector jobs.

On the economic front, California is in the midst of a slowing trend from its previous record pace as the economy remains healthy. Unemployment is still at a 30-year low, allowing the greatest number of Californians to work in the history of the State. This year, 440,000 new jobs have been created and housing sales and high-tech employment remain at historic levels. Consumer spending and confidence remains high.

A robust economy does not appear to resolve issues of public safety. While many people enjoy a prosperous life, every day in California citizens are victimized by crimes against themselves, their loved ones and their property. Crime may be around the next corner.

We begin this edition by examining the toll that crime takes on its victims in California. Last year in California, more than 660,000 crimes were reported, one for every 50 people. In addition to the emotional trauma and physical harm that victims suffer, the financial costs can also be devastating. Victims of crime often suffer the effects of the crime for many years, thereby enduring a compromised quality of life and lost productivity.

An effective police force is critical to the prevention and detection of crime in California. Recent highly publicized incidents of police corruption in Los Angeles and large departments around the nation have highlighted the need for reform and effective oversight to police activity in order to preserve the legitimacy and effectiveness of police forces. To address these issues, we are pleased to incorporate several guest authors' perspectives on police oversight and community policing.

In an article from San Francisco's Office of Citizen Complaints, we examine one successful model for police accountability. The OCC is a municipally chartered office charged with investigating all complaints of police misconduct against the San Francisco Police Department. The OCC maintains a 1 to 150 investigator to police ratio and receives 1,000-2,000 complaints per year.

In an article from the San Diego Police Department, we discuss the development of San Diego's community policing efforts over the past 30 years and the success of its 1994 restructuring to integrate Problem-Oriented Policing. Another guest author outlines key elements that need to be evaluated in all police departments in order to identify areas for improvement.

Finally, we examine the challenging task of recruiting high-quality police officers. Our guest author discusses the needed attributes a police recruit in an era of community policing. We then follow this discussion with a recruitment survey of police departments in California's fifteen largest cities, Chicago, and New York.

As California's Chief Financial Officer, I strongly believe that California cannot expect its economy to continue to prosper without addressing the pressing public safety issues that the State faces. Crime and a shortage of officers are a burden on state finances and a danger both to the safety of our residents and the livabilities of our communities. Neither businesses nor the workers that support them will be attracted to a State that cannot meet its public safety obligations to its residents. It is therefore vital to the future of California's economy that these issues be addressed with urgency. In this time of prosperity, we must come together with wisdom and courage as we create a safe and healthy future for California.

KATHLEEN CONNELL
Controller
State of California

California Economy

Review of 2000 and Outlook for 2001

Exports key to California growth.

Though a slowing trend in the statewide economy is now underway, the climate for jobs, income creation, and new business formation remains healthy. As the end of 2000 approaches, the unemployment rate is at a 30-year low, more than 440,000 jobs have been created this year, and the level of per capita income is at an all-time high. California residents are still spending, and their confidence in the economy remains very high.

Exports have been key to California's economic growth this year. Our trading partners in the Pacific Rim have steadily recovered from the financial crisis that dragged down the region in 1998 and 1999, and the Mexican economy is booming. This produces greater demand for California goods and services. Exports to the top 10 Asian nations this year have leaped 26 percent. Exports to Mexico—our largest market—are up 35 percent compared to last year at this time.

The continued expansion of the California economy is being led by a number of sectors,

including biotechnology, information processing, recreation, entertainment and tourism, and construction. Job growth is still impressive, despite a recent surge in dot-com layoffs. To date, the slowdown of technology sector growth has not impacted the state's unemployment rate.

Home buying has weakened only slightly this year, and home prices have soared. Selling prices for single family homes in the Bay Area have jumped over 20 percent since last year. Prices in Santa Clara County continue to soar. There is more new residential building activity this year in the State, but not at a pace that will provide enough housing for all Californians.

Commercial vacancies are at or near their lows for the decade in San Francisco, Alameda, Santa Clara, Orange, Ventura, and Los Angeles Counties. More new commercial building is now underway than at any other time during the past 10 years.

Labor Markets Strong

The unemployment rate fell

to 4.5 percent in October 2000, the lowest rate since 1969. More residents of California are currently employed than at any other time in the history of the State. Despite some signs of a slowing economy, labor markets continue to show surprising strength this year. Southern and Central California are adding the largest share of jobs in the State, particularly construction sector jobs and computer programming services jobs.

In Northern California, unemployment rates by county have fallen to imperceptible levels: 1.6 percent in Santa Clara County, 1.4 percent in San Mateo County, 2.7 percent in San Francisco, and 2.6 percent in Alameda County. In Southern California, Orange County is at 2.3 percent unemployment, and San Diego County recorded a record low 2.6 percent in October. There is no observed weakness in any principal labor market in the State.

Through October, the pace of job creation has resulted in 440,000 new jobs in California during 2000, a 3.2 percent increase. Job gains are broad based, occurring in all sectors of the

Figure 1

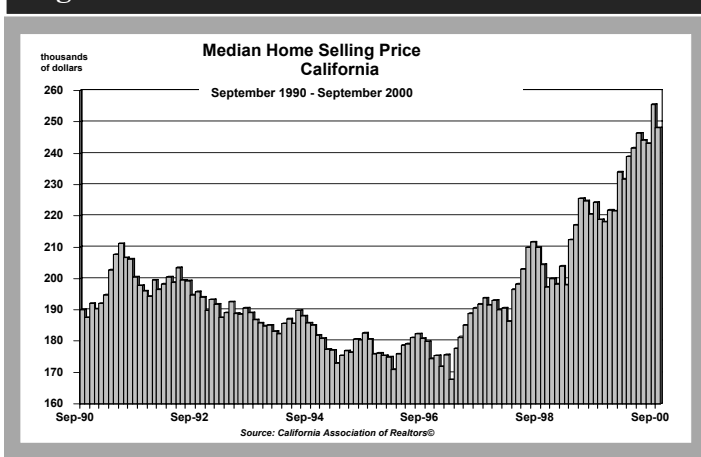
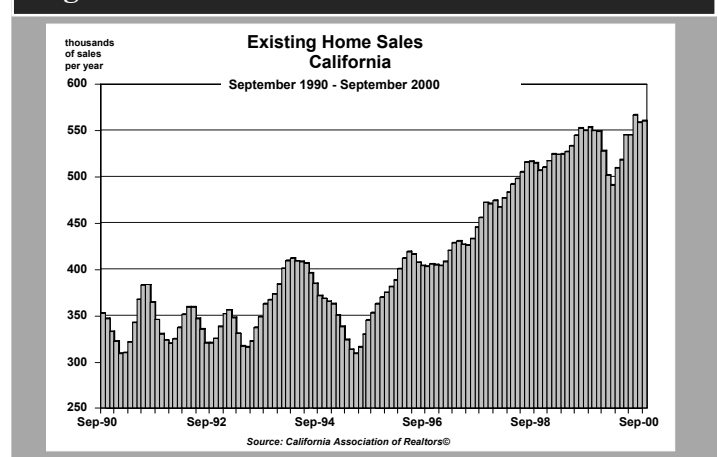


Figure 2



State's economy except mining. Most of the jobs created are in construction, business services, retail trade, education, and a number of other service sectors including health services, social services, and recreation.

Personal Income Soaring

The healthy gain of 7.3 percent in California personal income in 1999 will be eclipsed this year. Personal income is currently on a pace to rise 9 percent in calendar 2000, the best annual gain since 1984.

Despite a dubious year in the stock market in which technology sector security prices fell sharply, wealth gains have remained solid, particularly from rental income. Income from all assets, including financial assets, will rise between 4 and 5 percent this year. Wages and salaries, representing 58 percent of total personal income, will advance 9.5 percent in 2000.

Personal income tax receipts, the largest single source of revenue to the California General Fund, leaped 28 percent for the fiscal year ending June 30, 2000, largely on the strength of the stock market between Fall 1999 and Spring 2000. Overall, general fund revenues advanced a healthy 22 percent during the 1999-2000 fiscal year.

Visitor Spending Healthy

Travel through California continues to expand, both by business and leisure travelers to the State. During the first half of 2000, overnight business travel jumped an estimated 8 percent, and the number of vacation travelers rose 3.3 percent. All overnight travel to and through California (including residents) increased 6.3 percent. Hotel/motel occupancy rates have tightened in most resort areas of the State, and average room rates are 7.4 percent higher this year, compared to 1999.

Home Sales Cooling; Prices Still Surging

For the first nine months of 2000, existing home sales dropped a scant 0.5 percent, compared with the same period in 1999. Though sales of homes in the State have slowed, especially since June, no pronounced pull-back has been observed to date. Home sales are strong in Central California including the Sacramento and San Joaquin Valleys.

The median selling price of homes in California has soared 12 percent this year to \$243,000, the highest value on record. Among the larger California Counties, Santa Clara County posted the highest median selling value in 2000, at \$528,850. With a median selling value of \$485,980, San Francisco County was not far behind. In Los Angeles County, the median selling price for the first nine months of 2000 was a relatively affordable \$210,600. In Orange County, the median price was \$316,300.

With lower interest rates now prevailing as 2000 draws to a close, the outlook for home sales is mixed in 2001. Rates are likely to fall before they rise again, barring any unanticipated jolt to the U.S. economy next year. However, job creation is expected to be more moderate, causing personal income growth to cool. Together

with the lack of available inventory and continued population growth, selling prices are not expected to retreat in 2001.

Residential Construction Modestly Ahead

New residential units authorized by building permits in California rose to an annual rate of 147,000 for the first nine months of 2000, a scant 5 percent increase over last year's average of 140,000 units. While this gain is modest, the pace was much faster in the first half of the year. Though the increase in new home construction is encouraging this year, the number of new homes in the State is far from adequate because it seriously lags behind the growth in population and jobs. Housing is generally in short supply across the State, and accordingly expensive, particularly in the large metropolitan areas of Northern and Southern California.

Significant building in San Joaquin and Stanislaus Counties is keeping housing in those regions affordable. Single family home building is also strong in Placer County and Merced County. Multi-family housing is sharply higher in Orange and Los Angeles Counties. Apartment building in Santa Clara County

Personal Income on pace to rise 9% in 2000.

2001 Forecast by Controller's Council of Economic Advisors

Council Member	Employment Growth (Annual %)	Unemployment (Annual %)	Personal Income Growth (Annual %)	Res. Building Permits (Thou.)
California Association of Realtors (R. Kleinheinz)	2.9%	5.0%	5.7%	149
California Economic Forecast Project (M. Schniepp)	2.2%	5.2%	7.0%	143
LA County Economic Dev Corp. (J. Kyser)	2.8%	5.0%	7.0%	140
The Milken Institute (R. DeVol)	2.7%	4.5%	5.7%	167
Monroe Consulting (T. Monroe)	2.4%	5.2%	5.0%	140
UC Berkeley, Center for Real Estate & Urban Economics (C. Kroll)	2.5%	5.2%	6.2%	140
UCLA Anderson Forecast (T. Lieser)	1.9%	5.4%	6.7%	134
Mean	2.4%	5.1%	6.3%	144.8
Median	2.4%	5.2%	6.7%	140
State Controller	2.7%	5.1%	6.1%	145
2000 Actual	3.1%	4.9%	8.6%	147

Source: State Controller's Office; Council of Economic Advisors

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has increased this year by 500 units. Elsewhere, however, new multi-family home building is not increasing.

Non-Residential Construction Sharply Higher

With most of the major metropolitan areas reporting very tight vacancy rates this year, office and industrial space has become more scarce in the State. Consequently, the continued demand for non-residential structures is driving the surge in new commercial building this year. At the current pace of investment in commercial structures through October, the \$7 billion mark will be reached in 2000, an increase of 22 percent over 1999. Renovation activity is also proceeding at record levels this year. Total non-residential construction is up nearly 14 percent in 2000, compared to year-ago levels.

What's Ahead in 2001

The current slowdown in the state's economy will become much more apparent next year, although the economy will remain healthy and fiscally strong in the early months of 2001. The momentum that fueled economic growth in California during the last half of 2000 will moderate but continue

into 2001. The risk in the forecast is a significant consolidation in the equity markets, an unlikely scenario given the pronounced retrenchment of security prices on the Nasdaq since March of this year. Given the corresponding slowdown in the U.S. economy, there is less likelihood that the Federal Reserve will raise interest rates further. In fact, the direction of bias in interest rates is presently lower. The yield on the benchmark 30-year U.S. Treasury Bond is currently at 5.76 percent. A year ago in December of 1999, the rate averaged 6.43 percent.

The export market, consumer spending, and continued job creation will be the sustaining forces of economic growth in California during early 2001. The fiscal environment for the State is expected to remain healthy with job and personal income growth forecasted to expand at only moderate but sustainable levels for the next year or two.

Barring a severe collapse of the equity markets of the new year, spending on retail goods, business and personal services, and homes is not likely to slow dramatically in the initial months. However, given the current indicators in the markets and a new administration that will shape fiscal and monetary policy, the California economy in 2001

will face challenges in repeating the robust growth experienced in 1999 and again in this year. ❖

California's economy in 2001 will face challenges in repeating this year's robust growth.

Figure 3

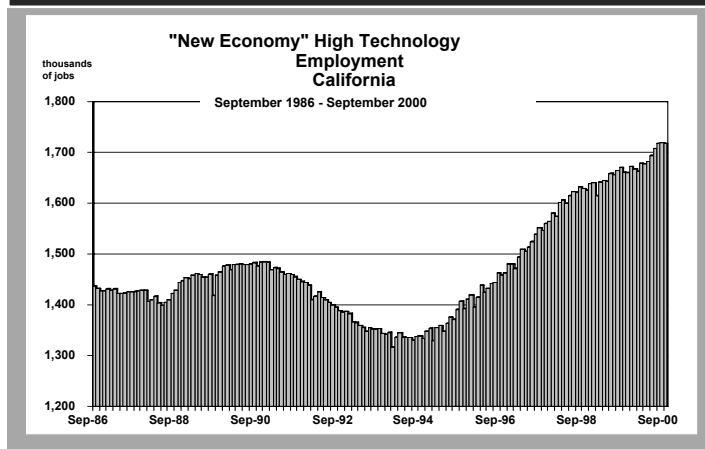
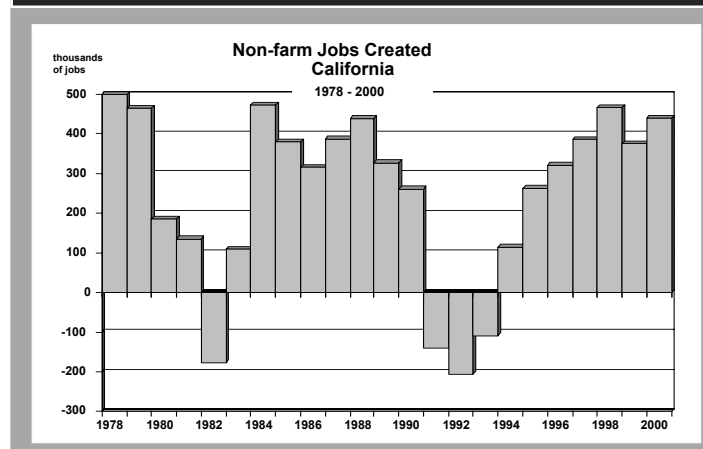


Figure 4



The Impact of Crime on its Victims in California

Lara Murray

Director of Victim Services
National Center for Victims of Crime
(Arlington, VA)

"I can't sleep."
"I think I'm losing my mind."
"I think I see him everywhere I go."
"I've been so depressed."
"I just don't know who to trust."
"I don't feel safe out there."
"Shouldn't I be over this by now?"

Common reactions—to an unfortunately common occurrence. In 1999, California residents and visitors reported 666,167 crimes to law enforcement officers¹. This includes more than 2,000 homicides, 9,000 sexual assaults, 60,000 robberies, 136,000 aggravated assaults and 392,000 property crimes—roughly one crime for every 56 people in the state.

While these numbers are striking, they do not tell the whole story of crime and its impact. The emotional, physical and financial results of crime can take a toll on victims' lives for years to come, and in ways that are rarely recognized in a simple recitation of statistics.

Emotional Response

How and when a victim responds to crime is linked to his or her own life experiences and what stress—positive and negative—is in the person's life at the time of the crime.

Victims of crime are faced with situations beyond their control. They may feel unable to do anything to stop the crime or lessen its severity, and may not be able to control their own

responses. Shock and numbness are normal. Victims may freeze, laugh, cry, and be unable to defend themselves. They may be in denial and not believe that the crime has happened.

Victims may feel a wide variety of emotions following a crime, including relief (that they survived), self-blame (that they did something to provoke the crime), shame, guilt (that they couldn't do more to avoid the event), sadness, loss of trust and innocence, anger and fear. Other common stress reactions, including sleep disorders, changes in eating habits, a sense of disconnectedness from others, mood fluctuations, and headaches, may also appear.

These emotional reactions can last days, months, or years. Victims can be thrown back into the initial crisis reaction by triggers that remind them of their victimization, such as sights, smells, sounds, birthdays of ones lost in the event, holidays, or the anniversary of the crime. As a victim, Christine* experienced panic attacks and nightmares when she discovered that her abusive ex-husband had been released into her community. Stress reactions that last longer than six months, or return long after the event, may indicate post traumatic stress disorder (PTSD).

Emotional recovery can be facilitated through a variety of programs and services. Most California communities have criminal justice

and non-profit services for victims of crime that include crisis intervention, support groups, counseling, and safety planning.

Physical Harm

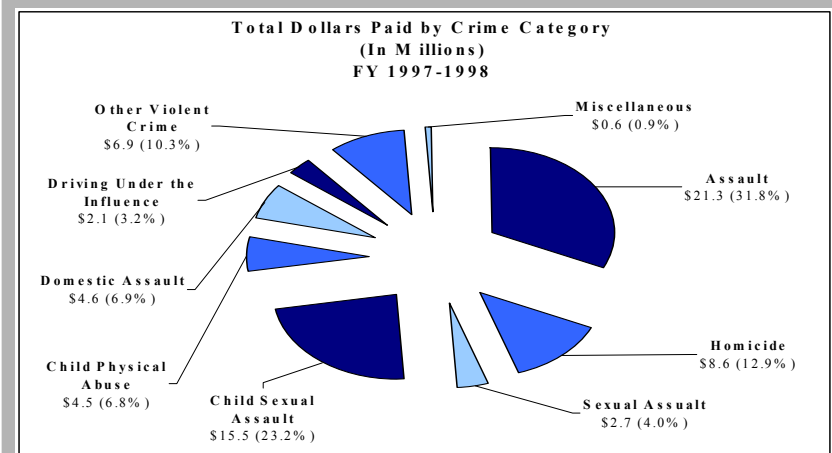
Some physical injuries resulting from crime may be easily apparent—cuts, bruises, or broken bones. Others, such as pregnancy or sexually transmitted diseases (including HIV) related to sexual assault, may take longer to discover. Another victim, Kim* learned as an adult that her infertility was directly related to sexual abuse she had experienced as a child. Medical accompaniment and advocacy, commonly offered by crime victim service providers, can help victims address their physical concerns and ensure appropriate, thorough medical attention.

It is also common for victims to experience short or long-term stress-related illnesses in response to the event. Stress-related effects include fatigue,

"The emotional, physical and financial results of crime can take a toll on victims' lives for years to come."

Table 1

State Board of Control



Source: California State Board of Control

The California Board of Control Victims of Crime program helps victims who have no other means of paying for crime-related income or medical losses to obtain restitution for the losses they suffer as a direct result of criminal acts. As there are eligibility requirements on the claims that the Board of Control can pay, the chart shown above represents only a small fraction of the total financial losses from crime in California. For further details on eligibility for the Board of Control Victims of Crime program, please visit the Board's website at www.boc.ca.gov, or call 1-800-777-9229.

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sleeping disorders, appetite changes, or head and stomach aches. Stress affects the immune system, making victims more susceptible to infections and illness. Many people believe that the stress caused by victimization can cause physical problems later in life, and that it may be linked to heart disease, cancer, Alzheimer's disease, or other chronic illness.

California Victims of Crime Helps Pay Some Costs

Financial Costs

Victims and survivors often suffer financially. In some instances, sexual assault victims are still charged for the evidence collection exam. Property may need to be repaired or replaced. Injuries may require medical attention or long periods of rehabilitation. Families may incur funeral expenses. George*, a victim of gang violence at work, lost income when his fear of further violence kept him from returning to work. Additional expenses are

incurred if the victim seeks private counseling, needs to hire an attorney to help clean up fraudulent credit history after identity theft, or has to relocate for safety concerns. Given the long-term effects of traumatic events, some victims may find they incur expenses related to rebuilding their lives for years.

The California Board of Control's Victims of Crime (VOC) Program can help alleviate some of a crime's financial impact by helping innocent victims of certain crimes and their family members when they have no other means of paying for crime-related income or medical losses. Among the allowable reimbursable expenses are medical bills, mental health counseling, lost wages and support, funerals, and moving expenses. However, the compensation is available only to victims of violent crime who report to the appropriate law enforcement agency in a timely manner, file for compensation within one year of the crime (there are exceptions), and cooperate with investigation and

prosecution.

Conclusion

The impact of crime on individual victims varies greatly. What is devastating to one person may only be moderately difficult to work through for another. What is clear is this: timely, sensitive support service, including crisis intervention, counseling, safety planning, financial assistance, and medical and legal advocacy, help victims rebuild their lives more quickly and effectively.

California has a history of responding well to crime victims, creating new laws and implementing innovative programs and services for them. However, these services are only effective when used. ❖

The National Center for Victims of Crime's 1-800-FYI-CALL connects callers in California with service providers in their local area who will help them rebuild their lives.

¹ California Crime Index, 1999

* All identifying information in this article has been changed to protect the privacy of these individuals.

California's Victim Resources

Statewide Agencies:

Victims of Crime Resource Center	1-800-VICTIMS www.victimts.com
California Attorney General – Victim Services	1-877-433-9069
California Youth Authority – Victim Services	1-888-434-6829
California Department of Corrections – Victim Services	1-888-562-5874
California Board of Control—Victims of Crime Fund	1-800-777-9229

National Toll-Free Numbers:

Battered Women's Justice Project	1-800-903-0111
National Center for Missing & Exploited Children	1-800-843-5678 TDD 1-800-826-7653
National Center for Victims of Crime	1-800-FYI-CALL
National Criminal Justice Reference Service	1-800-851-3420
National Domestic Violence Hotline	1-800-799-7233 TTY 1-800 787-3224
National Fraud Information Hotline	1-800-876-7060
National Organization for Victim Assistance	1-800-TRY-NOVA

Advocacy Organizations:

Northern California	
Doris Tate Crime Victims Bureau	1-800-7-VICTIM
Crime Victims United of California	916-448-3291
Californians for Responsible Gun Laws	510-649 8946
Family Violence Prevention Fund	415-252-8900

Southern California	
Women Against Gun Violence	310 204 6643
Los Angeles Commission on Assaults Against Women	213-462-1281
Violence Prevention Coalition of Greater Los Angeles	213-240-7785

California's Crime Clock

- Total Crime in CA--1,261,164
One crime is committed every 25 seconds
- Total Violent Crime--2,005
One murder every 4 hours
- Total Robbery--60,039
One robbery every 9 minutes
- Total Aggravated Assault --136, 472
One assault every 4 minutes
- Total Burglary--223,814
One burglary every 2 minutes
- Total motor vehicle theft--168,480
One motor vehicle theft every 3 minutes
- Total forcible rape--9,363
One forcible rape every hour

Source: FBI Uniform Crime Statistics for 1999

Public Accountability of Police Officers and Institutions: The San Francisco Experience as Model and Microcosm

Mary C. Dunlap
Director of Citizen Complaints
City and County of San Francisco

Since 1982, the Office of Citizen Complaints (OCC) of the City and County of San Francisco has been municipally chartered, thanks to voter support, and staffed by civilians to “promptly, fairly and impartially” investigate all complaints, of alleged police misconduct, made by non-officers against any sworn San Francisco Police Department (SFPD) member. After more than 10,000 completed investigations, hundreds of Police Chief-level (Skelly-type) and Police Commission (trial-type) disciplinary hearings, and thousands of findings and dispositions, dozens of policy recommendations, and with the 2000-01 annual budget exceeding \$2.5 million, the OCC can be called an institution in San Francisco.

As OCC’s Director since May 1996, I believe there are aspects of San Francisco’s OCC that should be both emulated and avoided. Nonetheless, this agency’s hard-won reputation as a model for civilian oversight of a police agency is worthy and deserved.

The key elements that are the strength and effectiveness of the OCC in San Francisco are not difficult to enumerate. These key elements in civilian oversight of police include:

- Clear legal authority to investigate complaints, and an enforceable duty by every officer to cooperate;
- Sufficient and well-qualified professional staff;
- Independent, professional, and ethically minded relationships with

all who have business with or whose actions affect the oversight agency; and

- Persistent, thoughtful reinforcement of the principle and practice of fairness towards all parties to complaints.

Clear Legal Authority and Enforceable Duty to Cooperate

By a written provision, the San Francisco City Charter specifically establishes and empowers OCC. The Charter requires that, “in carrying out its objectives,” OCC shall receive “prompt and full co-operation” from all city departments. OCC is also specifically required and empowered to investigate all civilian complaints of alleged officer misconduct (including neglect of duty) made against one or more sworn members of SFPD. This Charter provision is implemented by a standing SFPD General Order that prescribes the following: “It is the policy of the San Francisco Police Department to encourage citizens to bring forward grievances regarding inadequate police service or official misconduct by officers, and receive such complaints with courtesy and without delay.” The order requires officers to report complaints made

to SFPD with dispatch, to respond to OCC written inquiries, and to appear and be interviewed during OCC investigations, whether as witnesses or as named members. Named members are afforded “use immunity,” such that statements to OCC cannot be used criminally or civilly against the officer (in state court), but can be used in administrative or disciplinary proceedings against him/her.

Sufficient and Well-Qualified Professional Staff

OCC must have one line investigator for every 150 sworn members of SFPD. OCC receives approximately 1000-1200 complaints per year, and fully investigates over 90% of those complaints. The other 10% include complaints that are immediately dismissed because the conduct was shown proper on its face and matters that must be referred to SFPD’s internal affairs unit, the Management Control Division (MCD), or to other law enforcement agencies (e.g., SF Sheriff’s Department, institutional police, private security firms). My favorite example is the one from “Mr. Scrooge.” This individual complained that SFPD officers were in uniform collecting Toys for Tots on Christmas Eve. The

“Mr. Scrooge” complained that SFPD officers were in uniform collecting Toys for Tots on Christmas Eve.

Table 1-Allegation Identified Per Complaint

	New York, NY	San Jose, CA	San Diego, CA	SF OCC
Complaints Received	4,825	359	120	1,033
Complaints Per Officer	0.13	0.28	0.05	0.49
Complaints Dismissed or Not Fully Investigated	2,918	146	52	47
Complaints Fully Investigated	3,010	213	68	986
Total Allegations Identified	7,423	395	261	4,554
Allegations Identified Per Complaint	1.5	1.1	2.2	4.4
Allegations of Unnecessary Force	2,490	156	48	443
Complaints Closed By Agency	5,928	321	107	1,043
Complaints Sustained By Agency	408	30	1	108

(From Table 1, “Allegations Identified Per Complaint”, and Table 2, “Civilian Review Agency Caseload and Staff Comparisons January-December 1998”, in OCC Special Report: Performance and Productivity as to Complaint Caseload, report from the Office of Citizen Complaints to the SF Police Commission (6/30/00))

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officers were present on assignment, by a lawful SFPD order, and thus their conduct was ruled proper. As no policy issues were identified, the matter was not investigated further.

With the OCC's relatively large caseload compared to other medium to large cities (Table 1), the 1-to-150 investigator-to-officers staffing ratio provides a guarantee of a sufficient number of investigative staff to complete the required work in a timely manner. The investigative staff positions are civil service-governed, and line investigator candidates must have a BA/BS degree and two years of prior investigative work experience. Current OCC investigative staff (including seniors and chief investigators) include former practicing attorneys and mediators, paralegals, security and law enforcement personnel, journalists, community activists, educators, business people, private investigators, and people from other walks of life. There is only one absolute occupational prohibition: No OCC staff member (in any position, investigative or otherwise) shall have ever been a sworn member of SFPD. That measure (imposed by

City Charter) and others, such as questions during interviews about conflicts of interest and bias, are meant to assure that no one who works for OCC brings a private or political agenda to the agency's work. The mission of OCC is universal SFPD officer accountability to all persons in or of San Francisco, and the mission is accomplished by a commitment on the part of all staff to thorough, truthful, and neutral investigation and resolution of complaints.

Independent, Professional and Ethical Relationships

The San Francisco Police Commission is comprised of civilians appointed by the Mayor and confirmed by the Board of Supervisors. It has the power to hire and fire the Chief of Police and the Director of the OCC. Under the City Charter, the Police Commission has the power to "organize, reorganize and manage" the OCC through its Director. The Police Commission also hears and decides all disciplinary matters involving SFPD members arising from both OCC and SFPD internal investigations, except for minor disciplinary actions. The Police Commission sets policy and can prescribe policy

recommendations by OCC that SFPD has not accepted. The commission may also initiate management improvements within SFPD. The Office of the City Attorney provides legal advice through separate attorneys to SFPD, the OCC, and the Police Commission.

These overlapping and complex inter-authority relationships work best when the OCC and its Director are afforded maximum independence to bring forward cases seeking discipline of officers. Investigations must be allowed to proceed with or without the agreement of the Chief of SFPD and with scrupulous separation from the litigation arm of the City Attorney's office, which is used to defend SFPD against civil suits involving alleged officer misconduct. These dimensions of the need for OCC independence stem from certain realities not unique to policing culture and institutionalization that may sometimes be intensified at the command level. Put simply, nobody wants to be blamed for the misconduct of others, and nobody wants anything terrible to be attributed to his/her leadership. The additional dimension of confidentiality of officer complaint histories and related investigative files complicates these relationships. The public's right and need to know are frequently outweighed by the combination of statutory confidentiality and operating norms of excluding and distrusting civilians, keeping secrets, and manipulating access to information as a means to maintain power.

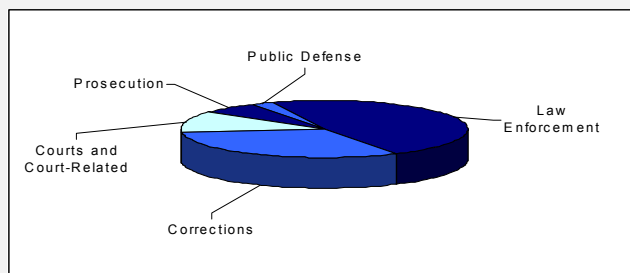
OCC has ongoing relationships with officer labor associations and unions, such as the SF Police Officers' Association, Officers for Justice, Asian-American Police Officers, Golden State Peace Officers, and others. The quality of these relationships over the years is much affected by the inescapably

"The mission of OCC is universal SFPD officer accountability to all persons in San Francisco..."

California Crime Costs

- California's criminal justice system expenditures exceeded \$19 billion (all funds) in 1999. About 80 percent of these costs were for law enforcement and corrections, with the remainder for prosecution and judicial programs
- Crime expenditures have increased by about 6% annually since 1990
- Total victim-related costs of crime totaled more than \$10 billion
- California will spend \$500.8 million on crime prevention in 2000-01
- The average yearly cost per inmate is \$21,243; per parolee, \$2,182
- Medical costs for treating gunshot wounds in California came to \$127

million in 1996, or about \$19,000 per patient, with more than half of those patients treated at public expense



Source: Legislative Analyst Office

adversarial dynamic of some investigations and most disciplinary proceedings. At the same time, OCC's work alongside some of these groups to implement community policing, overcome discrimination in law enforcement, and engage in other programs intended to improve policing builds strong ties. While some individual officers, particularly those associated with records of serious sustained complaints or with high-profile administrative litigation cases, may tend to speak negatively of the OCC, many other officers tell OCC staff members that they appreciate the job the OCC does, and understand that officer accountability protects and serves officers as well as the public.

In essence, this matter of relationships and ethics boils down to this: Work in the area of civilian accountability of police officers is steeped in norms of adversarialism, litigiousness, overarched by the continuing, profound societal and moral need for truth-telling, by police officers and civilians alike. Where rules, relationships, and police institutional norms reward secrecy and exclusion of civilian input and ideas, OCC has tended to experience difficulty in getting its job done. Where rules, relationships and police institutional norms reward honesty, inclusion of civilian input and ideas, OCC's part in the struggle has been more constructive and progressive for all concerned.

Persistent, Thoughtful Reinforcement of Fairness

Every police officer accused of misconduct, no matter how strong the evidence against him/her and no matter how serious and damaging the misconduct alleged, is entitled to due process of law. OCC operates in an environment of utmost respect for due process to officers: every named officer in a complaint receives a copy of the full text of the complaint filed against him/her in advance of being questioned. Investigators in

interviews are expected to be courteous and professional in tone and thrust, and no allegation is to be sustained against an officer before he/she has been interviewed in person and has been afforded a full opportunity to provide his/her knowledge, information, and belief. No allegation is sustained by OCC unless a preponderance of the evidence establishes that, more likely than not, it is true.

Every officer facing a sustained allegation of misconduct is entitled to notice of charges and to a Skelly-based hearing before the Chief or his/her designee. If the penalty to be imposed at Chief's level is a written reprimand or greater (e.g., a suspension of any length, or termination of employment), the officer has a right of appeal (including trial of disputed facts) to the SF Police Commission.

At the same time, OCC strives to assure that fair and equal treatment is accorded to the civilian complainant. It is too often a reflex of some in power when defending institutional prerogatives to disbelieve the "little person," the less empowered person, and, in this particular equation, the civilian who complains of police misconduct. Civilian complaints can be pesky, irritating, trivial-seeming and even fanciful, and complainants range from very calm and considerate to irate, as well as from highly rational to mentally disordered. Every one of these complainants deserves respect, and deserves to be heard. Approximately 10% of the time, OCC finds one or more allegations presented by civilian complaints to be true, by a "preponderance of the evidence." OCC is committed to listening patiently and compassionately, although also dispassionately, to complainants. Frequently, intake of a relatively simple complaint may take over an hour, with the investigator listening to the complainant in an uninterrupted fashion, so that the context of a complaint and all relevant

allegations can be discovered. As a result, the number of allegations per complaint at the OCC is substantially greater than in similar processes in other cities.

The San Francisco City Charter mandate for full, fair, and impartial investigation is well-served by the degree of thorough analysis of complaints shown by OCC's average rate of allegations per complaint. Recently, the Superior Court in and for the City and County of San Francisco dismissed a sergeant's claim that OCC could not interview the sergeant or make an allegation of failure to supervise against him unless the complainant himself named and accused him. The sergeant contended that it was not within the OCC's power to investigate the allegation unless the civilian himself/herself identified the allegation. OCC counter-argued and the Superior Court agreed that OCC must have the right to fully weigh, analyze, and identify allegations in complaints presented to OCC, and to assess facts under the SFPD General Orders (which define in writing the standards for conduct and, thus, the areas of potential misconduct by officers), and by this means to determine what allegations should be investigated. To hold otherwise would have required complainants to be versed at sophisticated levels as to provisions for police duties and procedures. Accordingly, the Superior Court dismissed the sergeant's complaint. ❖

OCC has mediation, community outreach, policy recommendations, and other programs aimed at non-disciplinary approaches to solving civilian complaints. Please visit the website: www.ci.sf.ca.us/occ.

"Every officer facing a sustained allegation of misconduct is entitled to notice of charges and to a Skelly-based hearing."

San Diego Police Department Experience in Community Policing 1974-2000

David Bejarano
Chief of Police
San Diego Police Department

"We are bringing value and meaning to the practice of Neighborhood Policing."

The San Diego Police Department (SDPD) began moving to a community policing model in the early 1970's. Five chiefs and 30 years later, we are still working on improving our policing practices. Under our leadership, we are bringing value and meaning to the practice of Neighborhood Policing. Command and supervisory personnel are continuing to develop strategies to support problem-solving efforts through specific behaviors, not just words. Systems are being designed to help us become more accountable to each other and the community we serve. Community members are slowly mobilizing around strategies that take advantage of their strengths and capabilities. We at SDPD feel strongly that policing in San Diego will continue to evolve into a more productive partnership with others.

Those Early Efforts

Around 1974 the SDPD introduced beat officers to community policing through a "beat

profiling" system. The command staff wanted patrol officers to get to know their community by analyzing various factors on their beat. The beat profile process proved to be a good foundation for future community policing efforts. It helped introduce officers to the need to conduct some crime research and analyze beat problems with an eye toward solving problems. Unfortunately, many factors contributed to that early false start, not the least of which was the traditionalist cop attitude and a lack of support from supervision and management. Even though unsuccessful at first, SDPD began to breed the next generation of cop. There were those who were visionary enough to see the benefit to bringing others to the crime prevention effort. Police officers began to see the value of working with researchers.

In 1988 we were fortunate enough to be selected by the Police Executive Research Forum (PERF) to test problem-solving efforts in the patrol force. Our 1988 team of problem-solving officers led to six more teams in each of our seven decentralized patrol commands by 1993. These teams were not responsible for routine radio calls or patrol functions. They were given the time and resources to make problem-solving work, and they did! In 1994 we brought a select group of people from throughout the organization together to make recommendations on how to integrate the Problem-Oriented Policing philosophy and strategies throughout patrol operations. The committee made 42 recommendations for change.

The Police Department Embraces Neighborhood Policing

In 1994 we began "restructuring" our department following the 42 recommendations. At the time, we didn't realize the need

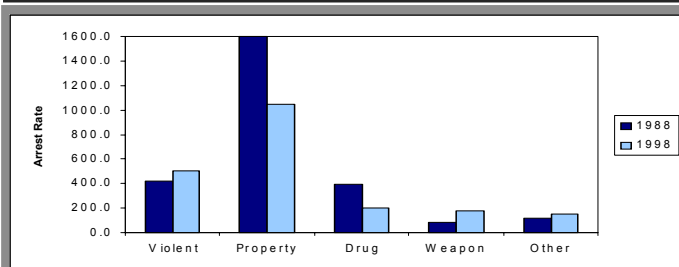
for a strategic planning process or leadership development at all ranks and classifications. The restructuring project involved many major changes including changing beat structures to larger service areas, giving lieutenants 24 hour responsibility for a geographic area, and expanding support responsibilities of civilian and volunteer personnel. Our success encouraged more risks and resulted in more change and more success.

Our volunteer program grew from under 150 to over 1100. We began co-hosting an International Problem-Oriented Policing Conference with PERF. Problem solvers and researchers from around the world come to San Diego each year to share success strategies. Dr Herman Goldstein personally presents awards to the best projects and San Diego is frequently honored for our efforts.

The Future of Neighborhood Policing

Since my appointment in 1999, we have vowed to take Neighborhood Policing to the next level. We believe the next level must include moving our organization into a strategic planning process that evolves to strategic thinking and management. We want to develop our own style of a command accountability structure that supports and promotes problem-oriented policing throughout the organization. We also realize it is our responsibility to develop the next generation of leadership for SDPD. We must help all personnel assess their leadership competencies and then support individualized training designed to strengthen those competencies. Individual leadership will continue to be critical to the future of SDPD. The next level of Neighborhood Policing will certainly build on our past 30 years and move us closer to true community policing. ❖

Juvenile Felony Arrest Rate by Type 1988 & 1998
(Rate per 100,000 Population at Risk)



Source: California Attorney General's Office

Evaluating Law Enforcement

Erwin Chemerinsky

*Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science
University of Southern California*

Over the last several years, many police departments in major cities have been tarnished by evidence of corruption and serious violations of rights. In Los Angeles, for example, the Rampart scandal involved officers planting evidence and lying in court to gain convictions. Over 100 convictions have been overturned and thousands more cases are under review. There have been highly publicized incidents involving the police in other cities such as Chicago, Houston, New York, and Philadelphia. In all of these cities, the majority of officers are honest, yet the illegal acts of a few undermine the credibility of the entire department.

Every city, large or small, needs to evaluate its police department and identify areas for improvement. What criteria might be used in such an evaluation? The following are some of the most important factors that can be used in appraising a city's police force.

1. How effective is the department at preventing and solving crime?

Obviously, the central mission of any police force is the prevention and detection of crime. Although interrelated, these actually are separate responsibilities of police forces. An effective department can play a key role in crime prevention. This occurs through many means including police intelligence, a meaningful police presence in the

community, and deterrence that results from effective law enforcement. Crime statistics reflect many variables beyond just law enforcement effectiveness; the economy and demographics are likely even more important than the police in explaining crime levels. Yet a city can compare its crime rate to other metropolitan areas of similar size and gain some sense of the effectiveness of its department in preventing criminal activity.

The police, of course, also are entrusted with solving crime by catching those who have acted illegally and providing prosecutors with the necessary evidence to gain convictions. Every department keeps statistics of its clearance rate. Departments also should keep data on the percentage of cases in which there is a successful prosecution, either through a guilty plea or a conviction after trial. These statistics are an important indicator of police effectiveness.

2. What is the frequency of violation of rights by police officers?

A serious problem exists across the country with regard to police abuse. Every city needs to assess its police department in this regard. There are many measures of the problem. For example, what is the amount that the city is paying in damages each year as a result of police violation of rights and how does this compare to other cities of comparable size? Damage suits for police misconduct provide an important indicator of policing in the city. Money used to pay judgments and settlements is funds not available for other government programs. In Los Angeles, for example, it is estimated that the Rampart scandal will cost the city's taxpayers over \$200 million.

Another measure of violation of rights is the frequency with which evidence gained by a police department is excluded from being

used in court because of unconstitutional activity by the police. The Supreme Court mandates that the fruits of illegal searches and improper interrogations be excluded from court. How often are the courts granting such motions?

3. What is the degree of public confidence in the police department? What is the general reputation of the department in the community?

It is important to assess how the department is regarded by citizens. This is important on many levels. The police department is any city's most important government function. Also, the willingness of juries to convict in court is a product of the trust communities have in their police forces. If the police lose the trust of the community, it becomes more difficult to gain convictions.

Particular attention must be paid to attitudes towards the police in minority communities. The problem of police abuse usually is greatest in African-American and Latino communities. Not surprisingly, distrust of the police often is most significant in these neighborhoods.

Cities need to commission studies to assess popular attitudes towards the police. Such surveys often produce startling results and provide an important impetus for reforms.

4. What is the morale within the police department?

The morale of officers is important in many ways. When morale is low, attrition in the ranks increases and recruitment of new officers becomes more difficult. Also, low morale can adversely affect effective policing.

In Los Angeles, a commission looking at the LAPD asked Price-Waterhouse to conduct a study of police morale. It found a serious

"A serious problem exists across the country with regard to police abuse."

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problem in this regard. Not surprisingly, the low morale is accompanied by high attrition rates and difficulty in filling new classes at the police academy. The morale problem, in itself, requires reforms to increase the satisfaction level of officers.

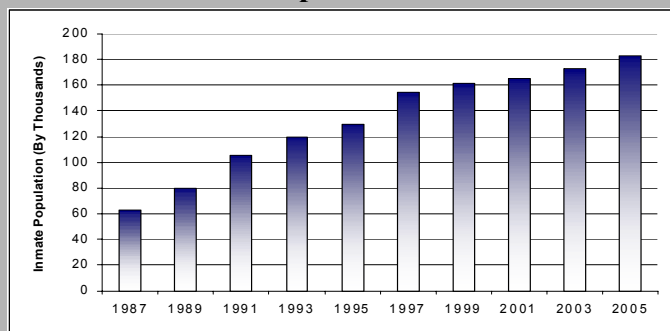
5. What is the degree of technical sophistication and the quality of equipment for the department?

Effective policing requires adequate tools. Every department needs to assess whether it has provided its officers with the necessary equipment or whether its department is relying on moded out technology. Again, a key basis for evaluation is a comparison to the equipment used in other cities of comparable size.

These, of course, are just some of the criteria to be used in evaluating police departments. What is crucial is that every city—through its city council, its police commission, and its citizens groups—regularly assess the quality of its policing. Often early warning signs can be detected that can lead to reforms before more serious problems develop. Implementing improvements can save the city money, decrease crime, and prevent police abuses. ❖

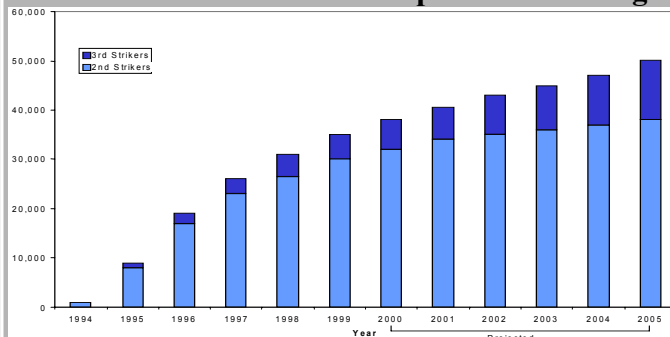
Three Strikes Revisited

Inmate Population Growth



Source: Legislative Analyst Office

Second and Third Strike Population Growing



Source: Legislative Analyst Office

- At the end of September 1999, about 43,800 inmates had been admitted to state prison for a second strike and about 5,700 had been admitted to state prison for a third strike.
- Over the past 3 years, between 700 and 900 second strikers and about 100 third strikers have been admitted to prison each month.
- The California Department of Corrections projects that the third-striker population will reach 12,000 by June 30, 2005.
- June 30 1999, second and third strikers comprised 22% of the total felon prison population. That figure will reach 28% by June 30, 2005.
- Offenders sentenced to 25 years to life cost the state at least \$460,000 over the course of their prison term.
- More than half of offenders sentenced to 25 years to life under the three-strikes law were parolees at the time of their most recent offense.
- The most recent State budget contained an allocation of \$10.4 million for the Second Strike Task Force, which provides for tighter supervision of parolees who have at least two serious or violent felony convictions.

New Directions in Police Recruitment

Larry Gaines, Ph.D.
*Professor of Criminology
California State University, San
Bernardino*

The recruitment and selection of police officers remain one of the most difficult tasks facing police administrators. Departments must recruit large numbers of applicants, and then ferret through them using myriad tests and selection procedures to identify those who are “qualified” to be effective police officers. Inaccurate selection decisions can have dire consequences for a police department. At worst, improperly selected officers’ behavior can result in substantial liability and public relations problems for the department. At best, unqualified or marginal officers can have an undistinguished career where they are unproductive and add little to the department’s efforts to provide the community with wholesome police services. Ultimately, individual selection decisions have a tremendous impact on how well a department responds to a community’s needs.

The Art of Selection

Selection decisions are extremely complicated and tend to be more of an art than a science. There is no failsafe method of making hiring decisions. This is because the job of a police officer is far ranging and extremely complex - it is, perhaps, one of the most complicated occupations in our society. Officers’ work includes many mundane activities such as

writing reports, providing citizens information, and responding to minor disturbance calls such as those involving barking dogs or parking violations. Their work can also be extremely complex. Complex financial crimes or homicides can require a substantial amount of investigation, evidence collection, analysis, and preparation for court. The multitude of tasks performed by police officers require that they have good communications skills, writing skills, analytical, and decision making skills. They must also have the physical capacity and wherewithal to confront suspects who may be armed or who resist arrest. Given the many requisite personal characteristics of good police officers, one must contemplate how many qualified applicants exist or are available and how difficult it is to identify them in the selection process.

“Screening” In

Police departments use a variety of testing procedures to screen applicants. They include: written aptitude tests, physical agility testing, background or character screening, polygraph tests, medical screening, psychological screening, and oral interview boards. For the most part, these tests are designed to “screen out” applicants. That is, departments attempt to identify those candidates with undesirable traits and eliminate them from the applicant pool. Ideally, a better strategy would be to “screen in” applicants and to use those characteristics as a model for selection. The problems with this idea are that the shortages of applicants in today’s economy have forced a number of agencies to reduce hiring standards, and it is extremely difficult to develop accurate selection procedures

that identify highly qualified applicants.

New Challenges

Community policing has resulted in many changes in American law enforcement. The two principal components of community policing are problem-solving and community partnerships. Both components carry a department well beyond traditional arrangements. Problem-solving requires that officers go beyond answering calls and develop strategies to eliminate or reduce problems that result in crime or disorder. This requires that officers be capable of identifying problems, collecting data and information about the problems, analyzing the information, and developing effective solutions. Perhaps this is best evidenced by the many police departments that are using crime mapping and crime analysis to aid in better understanding the patterns of crime and disorder that occur in their communities.

Community partnerships represent a shift in orientation for police officers. Traditionally, police officers remained detached and businesslike when dealing with the public. This detachment was seen as a way of reducing the chances of officers being corrupted. Community policing officers, on the other hand, must work closely with citizens and other governmental and private agencies in identifying and solving community problems. The police now recognize that many of a community’s problems can only be solved with a concerted effort. This requires that officers have a vast array of interpersonal skills. community’s problems can only be solved with a concerted effort. This requires that officers have a vast array of interpersonal skills. Given the complexities of the job, especially within the framework of

Inaccurate selection of police officers can have dire consequences for a police department.

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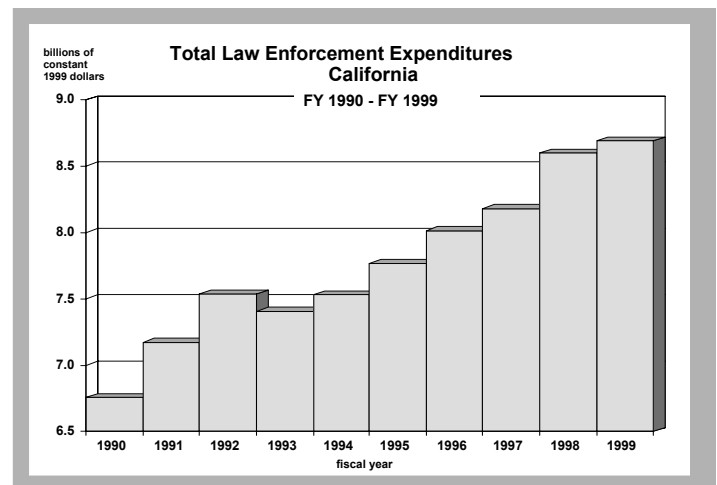
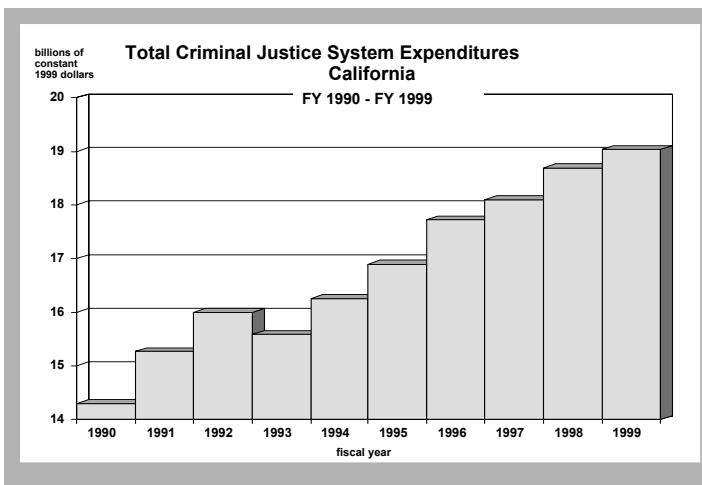
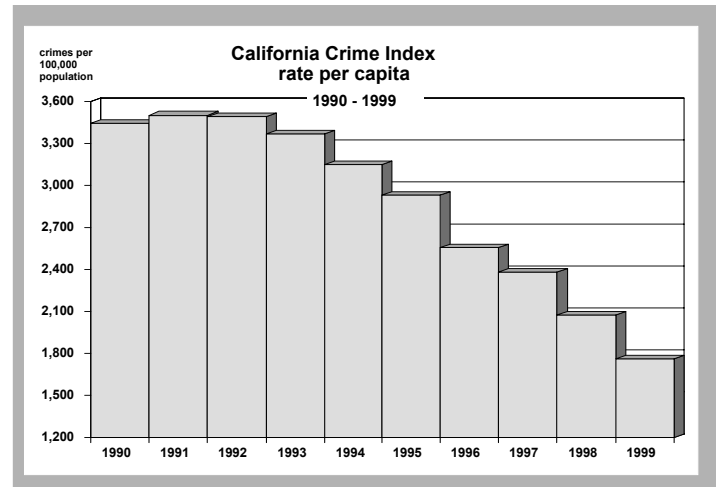
community policing, we can identify several characteristics that today's officers should possess. First, they should be curious. They should be able to observe problems and have the inclination to prevent them and attempt to develop solutions. Second, officers must be able to accurately perceive danger. The ability to accurately assess situations and apply the appropriate level of force is extremely important. Third, officers must be empathetic and have compassion. Here, officers must be able to think outside the "rule of law" and devise solutions to problems and situations that are helpful to individuals and to society. Fourth, officers must be decisive. They must be able to make good, accurate decisions in a split-second. Fifth, officers must have self-control. They must not allow the "heat of the moment" to cloud their judgment. Finally, they must be able and willing to use varied approaches to problem-solving. Essentially, they must be able to think "outside the box" by searching for the "best" solution, even if it lies outside the criminal justice process.

Raising the Bar

Strictly speaking, community policing requires that

we select police officers who are brighter and more worldly. Police officers should possess higher levels of analytical skills so they can effectively solve problems and engage the community. They must be more attuned to the community's cultural diversity. This not only refers to the diverse racial and ethnic groups that police officers encounter; they must have been exposed to a wealth of diverse ideas. Essentially police departments should attempt to attract a "better" educated applicant. Many departments today have a minimum educational requirement of a GED or a high school diploma. Given the complexities of modern society and the expectations placed on our police officers, it is

questionable if this is an appropriate standard. Community policing officers must be able to think, discern problems in the community, and develop workable solutions. Police departments should fine-tune their selection procedures to ensure that successful candidates have these unique qualities. ❖



Recruiting and Retaining Police Officers

California cities have fewer police per person than New York and Chicago.

A strong economy and tight labor market here made recruitment a common problem for police departments across the nation. Since 1997, New York City's department has seen a drop in applicants from 32,000 to 15,000. Seattle has launched an aggressive nationwide recruiting campaign, offering a starting salary of \$50,000 in hope of filling its annual openings. California also faces some of the most serious recruitment challenges in the nation.

Bay Area

Bay area departments have suffered from competition from the private sector jobs, especially the local hi-tech industry. San Francisco has dealt with its shortage by recruiting from other agencies, taking more than 100 officers from the San Francisco Sheriff's Department and police departments in Oakland, UC-Berkeley, Los Angeles and other smaller agencies. San Francisco's

competitive salary allows it to successfully recruit from other departments, but the result is only a shift in California's police shortage rather than a solution. San Jose reports that the numbers of people taking their test was fallen from 800-1,000 five years ago, down to 300 in the year 2000.

Los Angeles

Perhaps the most challenging recruitment problem in the country exists in the Los Angeles Police Department (LAPD), which is 998 officers short of its department goal of 10,054¹. Comparative data between large metropolitan areas on crime rates, salaries, and officer/inhabitant ratios strike differences between Los Angeles and other comparable urban departments. However, despite a competitive starting salary nearly \$43,000 and an aggressive out-of-state recruiting tour earlier this year, LAPD is falling

short of new recruits to fill its vacant positions. LAPD's Police Academy class was cancelled due to low enrollment.

Meanwhile, according to LAPD figures, crime has risen while officer numbers have declined². Chief Bernard C. Parks reported recently that serious crimes increased by 6.4 percent in 2000 although arrests have fallen sharply³. Parks indicated that homicides were up 25 percent city-wide are arrests were down 24.8 percent when compared with the same period in 1999. Other violent crimes were all higher -- rape, burglary, assault, and auto-theft up by nine percent, some officials suggested to issues to morale, rampart and a federal consent decrees. ❖

¹ Los Angeles City Councilmember Cindy Miscikowski, Public Safety Committee Chair. Los Angeles Times, November 22, 2000, p. B9

² San Diego Union-Tribune, October 10, 2000

³ LA Daily News, November 30, 2000

Comparative Police Department Statistics

City	Population	# Sworn Police Officers	Police to Inhabitant ratio	Starting Salary	Special Incentives
New York	8,643,437	40,000	1/216	\$34,970	NYPD Home: Lenders offer 95% to 100% home mortgaging on purchase in NYC
Los Angeles	3,650,138	9,178	1/398	\$42,824	
Chicago	2,821,032	13,485	1/209	\$33,522	
San Diego	1,238,549	2,035	1/609	\$36,600	
San Jose	875,840	1,391	1/630	\$47,000	
San Francisco	756,700	2,246	1/337	\$48,500	
Long Beach	437,218	879	1/497	\$43,000	
Sacramento	410,089	642	1/639	\$30,500	
Fresno	403,966	701	1/576	\$41,000	
Oakland	371,234	720	1/516	\$53,100	Longevity Increases
Santa Ana	310,537	369	1/841	\$47,900	Senior incentive pay 15%
Anaheim	299,477	395	1/758	\$43,000	After 10 years \$10,000 down payment on home in city
Riverside	265,980	341	1/780	\$42,900	
Stockton	243,661	366	1/666	\$35,200	Senior Officer Incentive Pay up to 19%
Bakersfield	213,365	299	1/714	N/A	
Fremont	207,291	207	1/1,001	\$56,900	After 19 years, additional 2.5%
San Bernardino	189,133	290	1/652	\$45,000	
Glendale	187,798	230	1/817	\$48,400	
California	33,145,000	71,499 (in 452 agencies)	1/464		

Source: State Controller's Office 2000; FBI Uniformed Crime Reports 1999

Facts and Figures

Important Information About California

